

REMARKS

This amendment is responsive to the Office Action of June 3, 2004. Claims 1-33 are pending in the present patent application. Claims 1-28 were rejected under 35 USC Section 102(a). (Claims 29-33 had been added in a previous Amendment, and are believed to have been inadvertently omitted from mention in recent correspondence from the PTO.) In accordance with the details below, this rejection is respectfully traversed.

The Examiner is thanked for the in-person interview of September 22, 2004, in which agreement was reached (pending a further search). Specifically, and in accordance with 37 CFR Section 133:

- Claims 1-33 were discussed
- U.S. Patent 6,303,395 to Nulman was discussed
- The principal proposed amendment discussed was the inclusion of the term “pre-planned” in the independent claims.
- Thrust of argument presented: To the extent that Nulman may disclose an experiment order having at least some deviation from a base process (as asserted by the Examiner), that deviation was not of a pre-planned nature.

Applicants have amended the independent claims in accordance with the aforementioned interview.

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration of this application and the timely allowance of the pending claims.

Conclusion


Applicant respectfully submits that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicant does not concede that the cited prior art shows any of the elements recited in the claims (as amended or prior to any amendment). However, Applicant has provided specific examples of elements in the claims that are clearly not present in the cited prior art.

For all the reasons advanced above, reconsideration and issuance of a Notice of Allowance is respectfully requested.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this amendment, such extension is hereby requested. If there are any fees due under 37 C.F.R. §§1.16 or 1.17 which are not enclosed, including any fees required for an extension of time, please charge those fees to our Deposit Account No. 08-0219.

Respectfully submitted,

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